

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**TU MY TONG,**

**Plaintiff,**

**v.**

**No. 15cv682 GBW/LAM**

**MCBEE DERECK et al.,**

**Defendants.**

**ORDER TO CURE DEFICIENCY**

**THIS MATTER** is before the Court *sua sponte*. Plaintiff filed a complaint but did not pay the \$400.00 fee for instituting a civil action.<sup>1</sup> Plaintiff shall have **twenty-one (21) days from entry of this Order** to either pay the \$400.00 fee or file an “Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form).” *Failure to timely pay the fee or file an “Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)” may result in dismissal of this case without prejudice.* Any papers that Plaintiff files in response to this Order must include the civil cause number (No. 15cv682 GBW/LAM) of this case.

**IT IS THEREFORE ORDERED** that, **within twenty-one (21) days from entry of this Order**, Plaintiff shall either pay the \$400.00 fee or file an “Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form).”

**IT IS FURTHER ORDERED** that the Clerk is directed to mail to Plaintiff, together with a copy of this Order, an “Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form).”

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<sup>1</sup> The fee for instituting any civil action, suit, or proceeding is comprised of a \$350.00 filing fee, *see* 28 U.S.C. § 1914, and a \$50.00 administrative fee.

**IT IS SO ORDERED.**

  
**LOURDES A. MARTÍNEZ**  
**UNITED STATES MAGISTRATE JUDGE**